

1 Introduced by the Council President at the request of the Office of  
2 General Counsel:

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5 **ORDINANCE 2026-459**

6 AN ORDINANCE APPROVING, RATIFYING, AND  
7 AUTHORIZING THE EXECUTION OF A SETTLEMENT  
8 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND  
9 DAVID WASHINGTON, CASE NO. 3:25-CV-00404-MMH-  
10 SJH, UNITED STATES DISTRICT COURT FOR THE MIDDLE  
11 DISTRICT OF FLORIDA AND 2024-AP-000023-AXXX-MA,  
12 FOURTH JUDICIAL CIRCUIT, DUVAL COUNTY, FLORIDA;  
13 APPROPRIATING \$180,000 FROM GENERAL FUND  
14 OPERATING FUND (GENERAL FUND - GENERAL SERVICE  
15 DISTRICT) TO THE GENERAL FUND OPERATING FUND  
16 (JUDGMENTS, CLAIMS, AND LOSSES OVER \$50,000) TO  
17 PROVIDE FUNDING FOR SETTLEMENT OF PENDING  
18 LITIGATION; AUTHORIZING THE GENERAL COUNSEL, OR  
19 HIS DESIGNEE, TO EXECUTE THE SETTLEMENT  
20 AGREEMENT AND TAKE FURTHER ACTION, AS NECESSARY,  
21 TO EFFECTUATE THE SETTLEMENT AND CONCLUDE THE  
22 LITIGATION; WAIVING THE PROVISIONS OF SECTION  
23 106.303 (FORMAT AND DETERMINATION OF AMOUNTS  
24 APPROPRIATED), SUBPART A (GENERAL PROVISIONS),  
25 PART 3 (APPROPRIATIONS), CHAPTER 106 (BUDGET AND  
26 ACCOUNTING CODE), *ORDINANCE CODE*, TO ALLOW  
27 MODIFICIATION OF THE APPROPRIATION OF FUNDS  
28 EXHIBIT TO FACILITATE COMPLIANCE WITH THE  
29 REQUIREMENTS OF THE AMERICANS WITH DISABILITIES  
30 ACT; PROVIDING AN EFFECTIVE DATE OF THIS  
31 ORDINANCE.

1           **WHEREAS**, David Washington ("Washington") was formerly employed  
2 as a Rescue Lieutenant with the Jacksonville Fire and Rescue  
3 Department ("JFRD");

4           **WHEREAS**, Washington was arrested in April 2024 for a felony  
5 charge and misdemeanor charges, and JFRD issued Washington a notice  
6 of immediate suspension without pay pending termination;

7           **WHEREAS**, Washington's felony charge was not pursued by the State  
8 Attorney's Office, but JFRD continued to pursue termination due to  
9 the nature of Washington's conduct leading to the April 2024 arrest;

10           **WHEREAS**, Washington attempted to appeal the proposed termination  
11 to the Civil Service Board ("CSB"), but the CSB dismissed the appeal  
12 due to untimeliness;

13           **WHEREAS**, Washington filed a lawsuit in state court (2024-AP-  
14 000034-AXXX-MA) challenging the CSB decision;

15           **WHEREAS**, Washington additionally filed a lawsuit in federal  
16 court (3:25-cv-00404-MMH-SJH) alleging his termination was based on  
17 his race and citing comparator evidence in support of his allegation;

18           **WHEREAS**, the City by virtue of entering into a settlement  
19 agreement is not admitting wrongdoing;

20           **WHEREAS**, after engaging in a thorough discovery process, it is  
21 in the best interest of the City and the public that this lawsuit be  
22 resolved without further litigation and litigation-related costs and  
23 expenses; now therefore

24           **BE IT ORDAINED** by the Council of the City of Jacksonville:

25           **Section 1.       Recitals.** The recitals above are incorporated  
26 herein by this reference.

27           **Section 2.       Appropriation.** For the 2025-2026 fiscal year,  
28 within the City's budget, there is hereby appropriated the indicated  
29 sum from the account listed in subsection (a) to the account listed  
30 in subsection (b):

31 (The account information is attached hereto as **Exhibit 2** and

1 incorporated herein by this reference.)

2 (a) Appropriated from:

3 See **Exhibit 2** \$180,000

4 (b) Appropriated to:

5 See **Exhibit 2** \$180,000

6 (c) Explanation of Appropriation - The funding above is an  
7 appropriation from the General Fund Operating Fund (General  
8 Fund - General Services District) to the General Fund  
9 Operating Fund (Judgments, Claims, and Losses over  
10 \$50,000), to pay funds in settlement of the above-  
11 referenced pending litigation.

12 **Section 3. Approval and Ratification of Settlement**  
13 **Agreement.** The City Council hereby approves and ratifies the  
14 Settlement Agreement between the City of Jacksonville and David  
15 Washington in the form attached hereto as **Exhibit 1** and incorporated  
16 herein.

17 **Section 4. Execution of Agreement and Further Action**  
18 **Authorized.** The General Counsel, or his designee, is hereby authorized  
19 to execute and deliver, for and on behalf of the City, the Settlement  
20 Agreement, and to take such further action necessary to effectuate  
21 the approved and ratified Settlement Agreement.

22 **Section 5. Waiving the Provisions of Section 160.303,**  
23 **Ordinance Code.** Section 106.303 (Format and determination of amounts  
24 appropriated), Subpart A (General Provisions), Part 3  
25 (Appropriations), Chapter 106 (Budget and Accounting Code), *Ordinance*  
26 *Code*, is hereby waived. This waiver is necessary to allow the  
27 modification of the Appropriation of Funds Exhibit to be in the form  
28 attached hereto as **Exhibit 2**, in order to facilitate compliance with  
29 the requirements of the American with Disabilities Act. B.T. 26-073  
30 in the form authorized pursuant to Ordinance 2015-428-E and reflecting  
31 the Mayor's approval can be found on file with the Budget Office.

1           **Section 6.           Effective Date.**   This Ordinance shall become  
2 effective upon signature by the Mayor or upon becoming effective  
3 without the Mayor's signature.  
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5 Form approved:

6  
7 /s/ Rita M. Mairs

8 Office of General Counsel

9 Legislation Prepared By: Rita M. Mairs

10 GC-#1755027-v1-Washington\_Settlement\_Ordinance